

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Clyde Shirley

Case No.

Case: 2:22-mj-30369

Assigned To : Unassigned

Assign. Date : 8/30/2022

Description: RE: SEALED
MATTER

(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 19, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841(a)(1)

Possession with Intent to Distribute Controlled
Substances.

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

See attached Affidavit

☐ Continued on the attached sheet.

Complainant's signature

Special Agent, Matthew Rummel, ATF

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: August 30, 2022City and state: Detroit, MI

Judge's signature

Hon. David R. Grand, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Matthew Rummel, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so since September 2014. I am currently assigned to the Detroit Field Division, Ann Arbor Office, where I am responsible for investigating violations of firearms laws, among other crimes. I am currently assigned to the Detroit Field Division. Prior to joining the ATF, I was employed, for approximately eight years, as a State Parole Agent with the Michigan Department of Corrections. During that time, for approximately four years, I was assigned to a multi-jurisdictional task force made up of federal, state, and local law enforcement agencies. I have participated in numerous investigations involving firearms, narcotics trafficking by armed individuals, fraud, robberies, assaults, homicides, and criminal street gangs. I have been the affiant on numerous federal search warrants and federal criminal complaints. I have a bachelor's degree in criminal justice, and I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator School and ATF's Special Agent Basic Training school.

2. This affidavit is based upon information I have gained from my investigation, information provided by law enforcement officers and others who have personal knowledge of the events and circumstances described herein, and my training and experience. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all details or facts that exist pertaining to the investigation.

3. I submit this affidavit in support of a criminal complaint charging that, on or about April 19, 2021, within the Eastern District of Michigan, the defendant, Clyde SHIRLEY (XX/XX/1971), knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine (a Schedule I controlled substance) in violation of 21 U.S.C. § 841(a)(1) and with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).

PROBABLE CAUSE

4. The ATF and the Michigan State Police (“MSP”) are investigating multiple armed narcotic traffickers in the Eastern District of Michigan, including in Jackson and Wayne County. During their investigation, ATF and MSP identified Clyde SHIRLEY as a possible source of supply for different narcotics traffickers.

5. On April 17, 2021, MSP Detective Shawn Garvey obtained a state search warrant for SHIRLEY’s residence, located at 807 Fleming Avenue,

Jackson, Michigan.

6. On April 19, 2021, at approximately 6:22 a.m., the MSP Emergency Support Team and the MSP Jackson Narcotics Enforcement Team executed the aforementioned state search warrant of SHIRLEY's residence, located at 807 Fleming Avenue, Jackson, Michigan.

7. Officers located SHIRLEY in his bedroom, located on the east side of the residence. SHIRLEY's girlfriend, Monique Goodloe, was also encountered in the bedroom. On SHIRLEY's bed, under his pillow, investigators located SHIRLEY's cell phone and a semi-automatic pistol, loaded with six (6) live rounds. The firearm was a HS Produkt (sold in the United States as "Springfield Armory"), model XDS, .45 caliber, bearing serial number S3203662. In the closet, investigators found two additional magazines for the firearm, loaded with seven (7) rounds in each. Also in the closet, investigators recovered approximately 31 grams of methamphetamine, which were pressed into thirty-two (32) pills and \$1,323.00 in U.S. Currency.

8. I know from training, experience and discussions with other members of law enforcement, that users of methamphetamine typically use between one tenth of a gram, to a gram at a time; therefore, I believe that the amount of methamphetamine recovered from SHIRLEY's closet represents a distribution amount of narcotics.

9. A further search of the residence recovered two (2) digital scales on the dining room table, along with mail from State Farm Insurance, addressed to Clyde SHIRLEY and Monique Goodloe. I know from training and experience that narcotic traffickers often use scales to measure and weigh narcotics for distribution.

10. Investigators advised SHIRLEY of his rights and he declined to speak with investigators.

11. Detective Sukovich interviewed Monique Goodloe. Goodloe was advised of her rights and agreed to speak with investigators. Goodloe stated that she lived at the residence with her 14-year-old daughter and her boyfriend, Clyde SHIRLEY. Goodloe stated that she and SHIRLEY stayed in the east bedroom, and that her daughter stayed in the west bedroom. Goodloe denied any knowledge of the narcotics found in the closet. Goodloe stated that the firearm was not hers. Goodloe stated that she had previously observed a firearm in the closet but again stated that it was not hers. Goodloe stated that she had absolutely no idea a firearm was under the pillow and was adamant that she did not place the firearm under the pillow.

12. I conducted a computerized criminal history check of SHIRLEY and spoke with the Michigan Department of Corrections. SHIRLEY has the following criminal history:

- a. **2007**, conviction in the 3rd Circuit Court of Michigan for controlled substance possession (cocaine/ heroin) and weapons felony firearm, sentenced to 4 to 48 months in prison;
- b. **2010**, convicted in the 4th Circuit Court of Michigan of controlled substance possession (cocaine/ heroin), sentenced to 25 to 96 months in prison; and
- c. **2014**, convicted in the 4th Circuit Court of Michigan of delivery/manufacture of a controlled substance (cocaine/ heroin) less than 50 grams, and sentenced to 5 to 30 months in prison.

13. SHIRLEY has several prior felony convictions which carried a possible punishment of greater than one year in prison and served multiple terms in prison. Therefore, he is prohibited from possessing firearms under 18 U.S.C. § 922(g)(1).

14. I also know from training and experience that prior to being paroled from the Michigan Department of Corrections, offenders are advised that they are prohibited from the possession of firearms and ammunition. I am also aware that when a defendant enters a guilty plea for a felony, the court advises defendants that they will lose certain rights, including the right to possess firearms. Because SHIRLEY has been to prison, has been on parole, and has multiple felony convictions, I believe that SHIRLEY is aware that he is a felon and also aware he

is prohibited from the possession of firearms.

15. I contacted ATF Special Agent Michael Parsons who is a certified Interstate Nexus Expert and provided the information of the HS Produkt model XDS, .45 caliber, bearing serial number S3203662 recovered during the search warrant. He indicated that the firearm was not manufactured in the United States and therefore had previously travelled in interstate commerce.

CONCLUSION

16. Based on the foregoing, there is probable cause to believe that, on or about April 19, 2021, within the Eastern District of Michigan, the defendant, Clyde SHIRLEY (XX/XX/1993), knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of methamphetamine (a Schedule I controlled substance) in violation of 21 U.S.C. § 841(a)(1) and was a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matt Rummel", written over a horizontal line.

Special Agent, Matthew Rummel
ATF

Sworn to before me and signed in
my presence and/or by reliable electronic means.

A handwritten signature in blue ink, appearing to read "David G. Grand", written over a horizontal line.

HON. DAVID R. GRAND
UNITED STATES MAGISTRATE JUDGE

Date: August 30, 2022